## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

AFFYMETRIX, INC.,	)	
	)	
Plaintiff/Counter-	)	C. A. No. 04-901 (JJF)
Defendant,	)	
	)	
	)	
	)	
ILLUMINA, INC.,	)	
	)	
Defendant/Counter-	)	
Plaintiff	)	

## NOTICE OF DEPOSITION OF TRISTIN ORPIN

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 30, plaintiff Affymetrix, Inc., through their attorneys, will take the deposition upon oral examination of Tristin Orpin beginning at 9:30 a.m. on December 1, 2005 at the Hilton San Diego Airport/Harbor Island Hotel, 1960 Harbor Island Drive, San Diego, California, 92101.

The deposition will be recorded stenographically, with the capacity to provide instant visual display or playback of the testimony, and by video by an officer authorized to administer oaths. All counsel are invited to attend and examine the witness.

MORRIS, NICHOLS, ARSHT & TUNNELL

Jack B. Blumenfeld (#1014) Maryellen Noreika (#3208)

1201 N. Market Street

P.O. Box 1347

Wilmington, DE 19899-1347

(302) 658-9200

Attorneys for Plaintiff/Counter-Defendant

Affymetrix, Inc.

## OF COUNSEL:

Michael J. Malecek Daniel R. Reed George C. Yu Andrea L. Gross AFFYMETRIX, INC. 6550 Vallejo Street, Suite 100 Emeryville, CA 94608 (510) 428-8500

September 20, 2005 483968

## **CERTIFICATE OF SERVICE**

I hereby certify that on September 20, 2005, I electronically filed a Notice Of Deposition of Tristin Orpin using CM/ECF which will send notification of such filing(s) to the following:

Richard K. Herrmann, Esquire Mary B. Matterer, Esquire Morris, James, Hitchens & Williams LLP 222 Delaware Avenue, 10<sup>th</sup> Floor Wilmington, DE 19801

I hereby certify that on September 20, 2005, I have caused to be sent by Federal Express, the above-mentioned document to the following non-registered participants:

Marcus E. Sernel, Esquire Kirkland & Ellis LLP 200 East Randolph Drive Chicago, IL 60601

<u>/s/ Maryellen Noreika</u>

Maryellen Noreika (#3208) MORRIS, NICHOLS, ARSHT & TUNNELL mnoreika@mnat.com